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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/527,967

09/26/2005

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EXAMINER

RIPLEY, JAY R

ART UNIT

PAPER NUMBER

3679

MAIL DATE

DELIVERY MODE

06/12/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/527,967	Applicant(s) AMBROSI, JOHANN	
	Examiner JAY R. RIPLEY	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-8 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-8 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/19/2008 has been entered.

Claims 6-8 and 10 are pending. No claims have been withdrawn. Claims 1-5 and 9 have been cancelled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Horimoto (U.S. 5,857,713).

At the outset, it is noted that the ninth embodiment of the invention of Horimoto, as shown in Figures 18-19, is identical to the sixth embodiment, as shown in Figures 9-14, with the exception of the lock mechanism and associated structure (column 13, lines 14-18).

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In regard to claim 1, Horimoto discloses in Figure 10 and Figure 19, the figures shown below, a symmetrical hose coupling comprising

a pair of like coupling members (1a and 1b, as observed in Figure 19, below),

each of the coupling members having a cylindrical hose attachment connector (4) and a cam ring integrally formed with the cylindrical hose attachment connector (as observed in Figure 19, below), the connector having an outside diameter (the connector of Horimoto has numerous "outside" diameters, and as such, the Examiner arbitrarily chooses the "outside diameter" directly adjoining the "slots" noted in Horimoto Figure 19, shown below),

the cam ring having a plurality of integral cams (8) arranged on the periphery of the cam ring and projecting from the cam ring (the slots noted in Figure 19, below and in Attachment A, result in the cams projecting radially from the cam ring - the blocking means appears to be positioned by the slots - note that the slots "bottom", radially inner surface, is the outer radial surface of the cam ring), the cams projecting radially beyond the outside diameter of the cylindrical hose attachment connector for defining the largest outside diameter of the coupling (the Examiner notes that the "blocking means" shown in Figure 19, below, is a part added onto the coupling of Horimoto and, as such, is not a required part of the coupling nor is the "blocking means" a requirement of the instant claim), the cams being hook-shaped in a tangential direction of the cam ring and each having a radial surface area (9 in Figure 10) for transmitting an axial force, and the cams of the coupling members engaging into each other during coupling such that the radial surface areas engage behind each other (the coupling members engage each other in the recited fashion as indicated in column 13, lines 19-34).

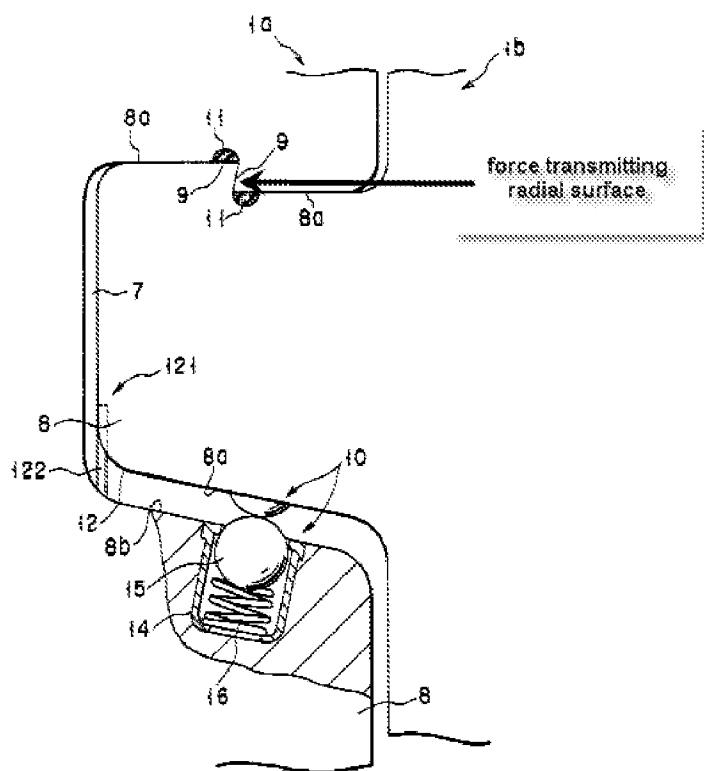
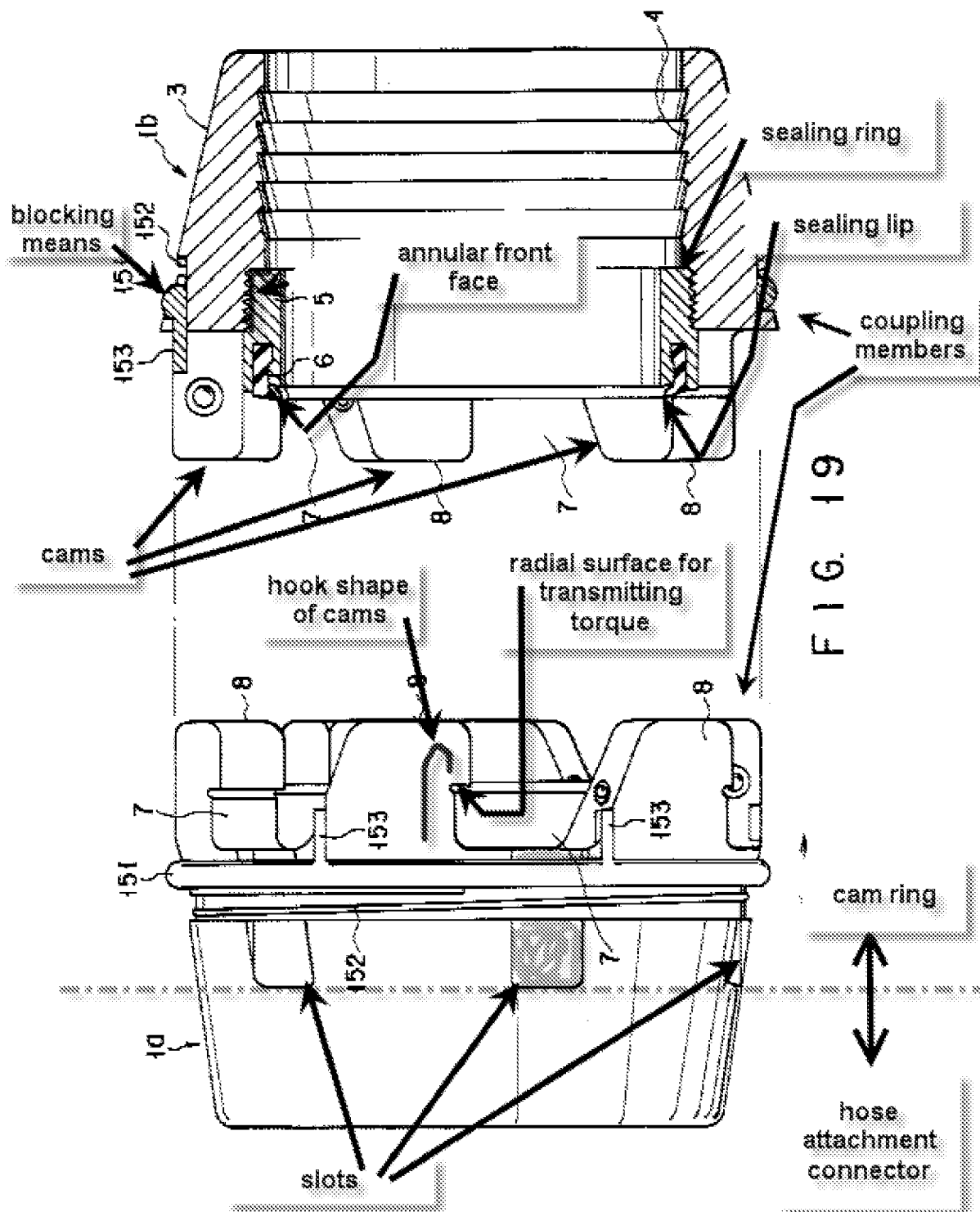


FIG. 10

(Horimoto Figure 10)

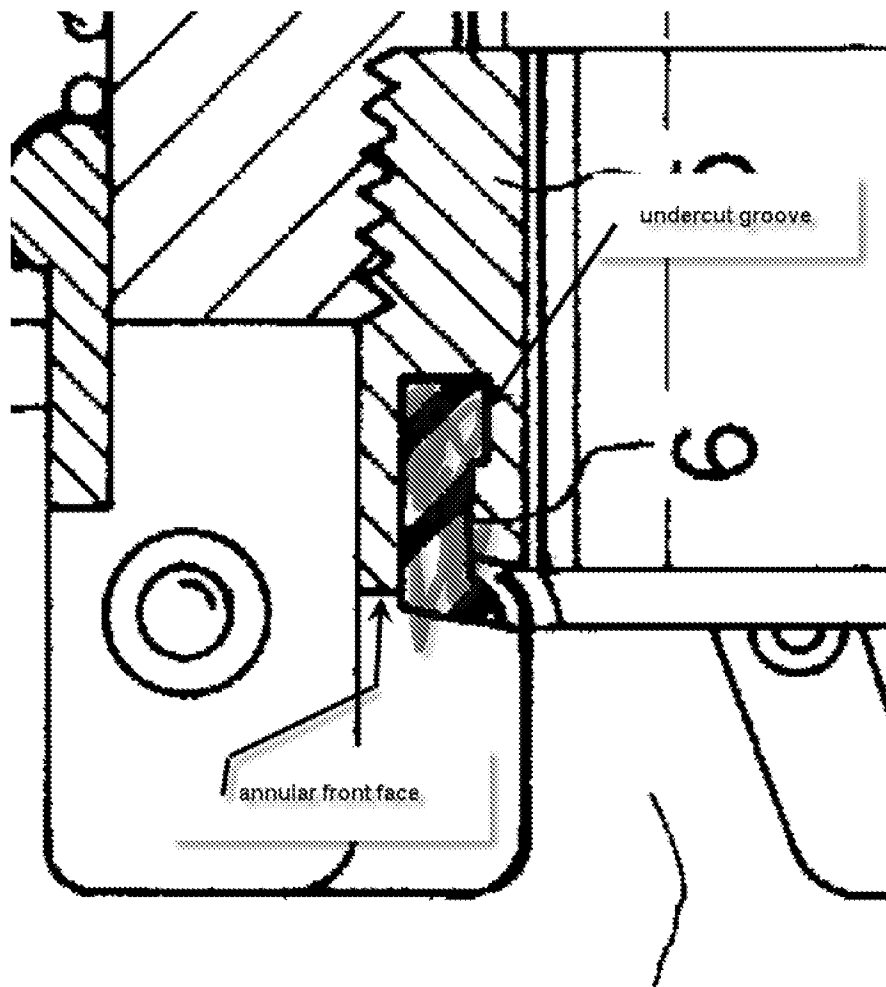


(Horimoto Figure 19)

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In regard to claim 7, Horimoto further discloses that the radial surface areas of the cams are inclined in relation to the tangential direction (column 8, lines 26-30, and observed in Figure 10, above).

In regard to claim 8, Horimoto further discloses, in Figure 19, above, and close-up of Figure 19, below, that the cam ring has an annular front face radially inwardly of the cams and an annular undercut groove is recessed in the annular front face for receiving a shaped sealing ring having a sealing lip which protrudes axially beyond the front face of the cam ring.



(close-up of Horimoto Figure 19)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Horimoto as applied to claims 6-8, above.

In regard to claim 10, Hiromoto discloses the claimed invention in the embodiment as shown in Figure 19, above, with the exception of a blocking means that does not project radially beyond the cams. The Examiner notes that Hiromoto does disclose that a blocking means (lock claws 153 as observed in Figure 19, above, and as disclosed in column 13, lines 19-34) is provided for locking the pair of coupling members with each other in a coupled condition; however, the disclosed blocking means of the embodiment shown in Figure 19 projects radially beyond the cams. Hiromoto teaches an alternative blocking means in Hiromoto Figures 9-14 (taught starting in column 9, paragraph 2, though column 12, first paragraph) which does not project radially beyond the cams. It would have been obvious to one having ordinary skill in the art at the time the invention was made to simply exchange the blocking means as disclosed by Horimoto in the embodiment shown in Figure 19 with the blocking means as taught by Hiromoto in relation to Figures 9-14 since they are functional equivalents.

Response to Arguments

Applicant's arguments filed 05/19/2008 have been fully considered but they are not persuasive.

Concerning the Applicant's discussion in 4-5 of the reply filed 05/19/2008 that the prior art of Horimoto (U.S. 5,857,713) fails to disclose "said cams projecting radially beyond the outside diameter of the cylindrical hose attachment connector for defining the largest outside diameter of said coupling" as required in instant claim 6, lines 6-7, the argument is not persuasive. First, claim 6 only recites "said connector having an outside diameter" (emphasis added) as a limitation to define the "outside diameter". As noted in the above rejection of claim 6, the connector of Horimoto has numerous "outside" diameters, and as such, the any one of the numerous "outside" diameters may be arbitrarily chosen to meet the claim language. For purposes of rejection, the Examiner has chosen the "outside diameter" directly adjoining the "slots" noted in Horimoto Figure 19, shown above.

Second, the Applicant is already aware that the "slots" shown in Figure 19, see above for visual clarification, are considered surfaces above which the cams extend. The Examiner noted this interpretation of the prior art of Horimoto in page 8, paragraph 4, of the Office action mailed 01/18/2008, and, further, it appears that the Applicant has simply chosen to dismiss such an interpretation of the prior art of Horimoto as indicated by the following statement from page 4, lines 14-16, of the reply filed 05/19/2008:

"Specifically, the instant cams project radially from the peripheral surface of the cam ring whereas the cams of Horimoto project axially from the peripheral surface of its cam ring (if one does not take into account that the slots technically form a part of the peripheral surface)." (page 4, lines 14-16, of the reply filed 05/19/2008)

Contrary to the Applicant's arguments, the Applicant has failed to sufficient define the distinct and separate cams of the instantly disclosed invention over the cams of the prior art of Horimoto and, as such, the arguments are not persuasive. The Examiner notes, however, that the Applicant is correct that "(i)t is abundantly clear from the instant specification and drawings that the cams of the instant application project in a very different manner from the cam ring than the cams of Horimoto" (page 4, lines 12-14, of the reply filed 05/19/2008). Unfortunately, these "abundantly clear" differences are not in the claims and the claims will not be read to include limitations otherwise not present.

Concerning the Applicant's discussion of the merits and intended use of the instant invention throughout the reply filed 05/19/2008, the discussion is not persuasive. As previously noted in page 8, paragraph 3, of the Office action mailed 01/18/2008, patentability of a product is to be determined by the language of the claims and is not based upon the supposed merits and/or intended use of the disclosed invention.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Goodall (U.S. 1,914,368), Parsons (U.S. 724,324), Allen (U.S. 2,132,506), and Jensen (U.S. 2,816,779).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAY R. RIPLEY whose telephone number is (571)272-7535. The examiner can normally be reached on Monday through Friday, 1:30 P.M. - 10:00 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jay R Ripley/
Examiner, Art Unit 3679
06 JUN 2008

/Daniel P. Stodola/
Supervisory Patent Examiner, Art Unit 3679